

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NATIONAL CHENG KUNG UNIVERSITY	§	
	§	
Plaintiff,	§	
	§	
v.	§	Case No.: _____
	§	
STMICROELECTRONICS, INC.,	§	JURY TRIAL DEMANDED
	§	
Defendant.	§	

PLAINTIFF’S COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff National Cheng Kung University (“NCKU” or “Plaintiff”), hereby submits this Complaint against Defendant STMicroelectronics, Inc. (“ST” or “Defendant”), and states as follows:

THE PARTIES

1. Plaintiff National Cheng Kung University is a higher education institute with its principal place of business at No.1, University Road, Tainan City 701, Taiwan, R.O.C.
2. On information and belief, Defendant ST is a Delaware Corporation with its principal place of business located at 750 Canyon Drive, Suite 300, Coppell, TX 75019. ST is registered to do business in the State of Texas and can be served with process upon its Registered Agent, CT Corp System at 1999 Bryan St., Ste 900, Dallas, Texas 75201-3136.

JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under patent laws of the United States, 35 U.S.C. §§ 1 *et seq.*
4. Venue is proper under 28 U.S.C. §§ 1391 (b)(1), (c) and 1400(b). Upon information and belief, ST has transacted business in this district and has committed acts of

patent infringement in this district by the making, using, selling and/or offering for sale infringing products.

5. ST is subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute. ST conducts substantial business in Texas and this district, directly or through intermediaries, such substantial business including but not limited to (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to companies and/or individuals in Texas and in this district.

INFRINGEMENT OF U.S. PATENT NO. 7,154,422

6. On December 26, 2006, United States Patent No. 7,154,422 ("the '422 Patent"), was duly and legally issued for an invention entitled "Scheme and Method for Testing Analog-to-Digital Converters". NCKU was assigned the '422 patent and continues to hold all rights and interest in the '422 patent. A true and correct copy of the '422 Patent is attached hereto as Exhibit A.

7. Upon information and belief, ST has infringed and continues to directly infringe one or more claims of the '422 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by its manufacture, use, sale, importation and/or offer to sell infringing microcontrollers, including by not limited to ST's SPC56ELxx Microcontroller. ST's manufacture, use, sale, importation and/or offer to sell the accused products is unauthorized, without the permission of NCKU, and constitutes infringement under 35 U.S.C. §271 for which ST is directly liable.

8. ST's acts of infringement have caused damage to NCKU, and NCKU is entitled to recover from ST the damages sustained by NCKU as result of its wrongful acts in an amount subject to proof at trial. ST's infringement of NCKU's exclusive rights under the '422 Patent will continue to damage NCKU, causing irreparable harm for which there is no adequate remedy at law, unless enjoined by this Court.

DEMAND FOR JURY TRIAL

9. NCKU demands a trial by jury on all issues.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff National Cheng Kung University, requests entry of judgment in its favor and against ST as follows:

- A. Declaration that ST has directly infringed the '422 Patent;
- B. Awarding damages arising out of ST's infringement of the '422 Patent, together with costs, expenses, prejudgment and post-judgment interest, as provided under 35 U.S.C. § 284;
- C. Permanently enjoining ST, its respective officers, agents, employees, and those acting in privity with it, from further infringement, of the '422 Patent.
- D. Any and all other relief to which the Court may deem NCKU entitled.

Respectfully submitted,

A handwritten signature in black ink that reads "Amanda A. Abraham". The signature is written in a cursive style and is positioned above a horizontal line.

Carl R. Roth
cr@rothfirm.com
Amanda A. Abraham
aa@rothfirm.com
THE ROTH LAW FIRM, P.C.
115 N. Wellington, Suite 200
Marshall, Texas 75670
Telephone: (903) 935-1665
Facsimile: (903) 935-1797

Michael L. Roberts
mikeroberts@robertslawfirm.us
Debra G. Josephson
debrajosephson@robertslawfirm.us
Stephanie E. Smith
stephanieegner@robertslawfirm.us
ROBERTS LAW FIRM, P.A.
20 Rahling Circle
Little Rock, Arkansas 72223
Telephone: (501) 821-5575
Facsimile: (501) 821-4474

**ATTORNEYS FOR PLAINTIFF NATIONAL
CHENG KUNG UNIVERSITY**